

# ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, JUNE 5, 2008

STATE OF NEBRASKA            )  
   )  
 COUNTY OF BOX BUTTE        ) §  
   )  
 CITY OF ALLIANCE             )

The Alliance City Council met in a Regular Meeting, June 5, 2008 at 7:00 p.m., in the Board of Education Meeting Room, 1604 Sweetwater Avenue. A notice of meeting was published in the Alliance Times Herald on May 29, 2008. The notice stated the date, hour and place of the meeting, that the meeting was open to the public, and that an agenda of the meeting, kept continuously current, was available for public inspection at the office of the City Clerk in City Hall; provided the Council could modify the agenda at the meeting if it determined an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each of the City Council Members. An agenda, kept continuously current, was available for public inspection at the office of the City Clerk during regular business hours from the publication of the notice to the time of the meeting.

Mayor Kusek opened the June 5, 2008 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Kusek, Council Members Dickenson, Benzel, Rowley, and Yeager. Also present were City Manager Caskie, City Attorney Miller and City Clerk Jines.

- Mayor Kusek read the Open Meetings Act Announcement.
- The first item on Council’s agenda was the Consent Calendar.

Motion by Councilman Dickenson, seconded by Councilman Yeager to approve the Consent Calendar which follows in its entirety:

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**CONSENT CALENDAR - JUNE 5, 2008**

1.    Approval:     Minutes of the Regular Meeting, May 15, 2008.
2.    Approval:     Payroll and Employer Taxes for the period May 3, 2008 through May 16, 2008, inclusive; \$151,811.84 and \$10,775.26 respectively.
3.    Approval:     Claims against the following funds for May 12, 2008 through June 2, 2008; General, General Debt Service, Trust and Agency, Street, Electric, Refuse Collection and Disposal, Sanitary Sewer, Water, Golf Course, Downtown Improvement Districts, R.S.V.P., Keno, and Capital Improvement:

\$1,471,710.15.

- 4. Approval: Historic Main Street Alliance is requesting permission to once again conduct the Farmer’s Market at the 3<sup>rd</sup> Street and Box Butte Avenue Mini Park. The market is held on Saturdays from 8:00 a.m. to 1:00 p.m. and Tuesday evenings between 5:00 p.m. and 6:30 p.m. for the months June through October.

- 5. Approval: The issuance of the following contractor license:

General Contractor..... Freddie Serda dba L & S Contractors  
 Shawn Houchin dba Clau-Chin Construction, Inc.  
 Kenneth Wood dba K L Wood & Co.  
 Guillermo Calderon dba Pleasant View Home Improvement

Repair & Maintenance..... Kenneth Wood dba K L Wood & Co.

Master HVAC. .... Dennis Meng dba Merritt, Inc.  
 Kenneth Wood dba K L Wood & Co.

Gas Fitter. .... Dennis Meng dba Merritt, Inc.  
 Kenneth Wood dba K L Wood & Co.

Master Plumber. .... Dennis Meng dba Merritt, Inc.  
 Kenneth Wood dba K L Wood & Co.

Class A Master Electrician.. .... David A. Curtiss dba Triangle Electric, Inc.  
 Terry Kelley dba Triangle Electric, Inc.  
 Bruce Faber dba Triangle Electric, Inc.

Cement & Masonry. .... Kenneth Wood dba K L Wood & Co.

- 6. Response: City Attorney Miller researched the Council’s questions regarding the insurance coverage of the police dog. Attached is a response from Gregory’s Insurance and a copy of the endorsement.

Councilman Dickenson questioned an expense for bulk diesel fuel. City Manager Caskie explained that one load of diesel fuel is needed each year for the Generation Plant maintenance as required by the lease agreement. Councilwoman Rowley questioned charges from Qwest. She understood that the City was pulling service away from Qwest. City Manager Caskie advised Council that the bills were in the review process and that some of the outlying entities are unable

to be serviced by any other provider. Councilwoman Rowley questioned a charge by the MIS Department to Grocery Kart for snacks. City Manager Caskie explained that Ms. Lund provides snacks for the volunteers that serve on the Comprehensive Plan Citizen Steering Committee. Mayor Kusek asked about a transfer from the Community Betterment Fund to the Golf Fund. Finance Director King advised Council that she will investigate the transfer. He also asked about a charge for baseball field rehabilitation and asked which field the work was done on. City Manager Caskie told Council that she would confirm the charge, but did not believe that it was ballfield related. She said that she thought the bill was actually for the repairs to Central Park Playground. Councilman Yeager asked if the pool was still requiring repairs. City Manager Caskie advised Council that there are still some leaks.

NOTE: City Manager Caskie has reviewed these expenditures and to the best of her knowledge confirms that they are within budgeted appropriations to this point in the fiscal year.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The next item for Council's discussion was Ordinance No. 2613 authorizing the sale of Lot 17, Block 11, Lakefield Addition to Terry L. and Mary L. Cordell.

Motion by Councilwoman Rowley, seconded by Councilman Dickenson to approve Ordinance No. 2613 on first reading. City Clerk Jines read the ordinance by title which follows in its entirety:

### **ORDINANCE NO. 2613**

AN ORDINANCE PROVIDING FOR THE SALE AND CONVEYANCE OF LOT 17, BLOCK 11, LAKEFIELD ADDITION, AN ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, ACCORDING TO THE RECORDED PLAT THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA:

SECTION 1. The City of Alliance has received an offer from Terry L. Cordell and Mary L. Cordell, husband and wife, to purchase Lot 17, Block 11, Lakefield Addition, an Addition to the City of Alliance, Box Butte County, Nebraska, according to the recorded plat thereof, in the amount

of \$6,010.00.

SECTION 2. The real estate is not used in the operation of public utilities, and is not a state armory for the use of the State of Nebraska or the State Armory, as provided in §16-201 R.R.S. Neb. 1943.

SECTION 3. The City Clerk shall cause notice of this sale to be published as required by law. If, within the time prescribed by law, a legally sufficient remonstrance against the sale has not been filed, the Mayor and City Clerk are by this ordinance authorized to execute and deliver to the purchaser the City's quitclaim deed for the herein described property upon payment of the purchase price provided for herein and in the purchase agreement.

Remonstrance against such sale is defined as a petition signed by legal electors of Alliance, Nebraska, equal in number to thirty percent (30%) of the electors voting at the last regular municipal election. Said petition shall be filed with the governing body of the City within thirty days (30) of the passage and publication of this Ordinance. In the event a remonstrance is received which is legally sufficient, said property shall not then, nor within one year thereafter, be sold.

SECTION 4. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Motion by Mayor Kusek, seconded by Councilman Dickenson to suspend the statutory rule requiring three separate readings of Ordinance No. 2613.

Roll call vote to waive the statutory reading with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2613 on final reading with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

Mayor Kusek stated, "the passage and adoption of Ordinance No. 2613 has been concurred

by a majority of all members elected to the Council, I declare it passed, adopted and order it published.”

- The first reading of Ordinance No. 2614 approving the Preliminary Plat of Son Shine Third Addition was the next item on Council’s agenda.

Motion by Councilman Dickenson, seconded by Councilman Benzel to approve Ordinance No. 2614 on first reading. City Clerk Jines read the ordinance by title which follows in its entirety:

**ORDINANCE NO. 2614**

AN ORDINANCE APPROVING THE PRELIMINARY PLAT OF SON SHINE THIRD ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA:

SECTION 1. The City of Alliance has received the application for approval of the Preliminary Plat of Son Shine Third Addition to the City of Alliance, Box Butte County, Nebraska, from Dorothy Schnell.

SECTION 2. The Planning Commission held a public hearing on May 13, 2008, to consider the preliminary plat, and after such hearing has recommended approval of the preliminary plat.

SECTION 3. The preliminary plat contains the information required by the City Code at 11-305, which is relevant to this request.

SECTION 4. The preliminary plat of Son Shine Third Addition is hereby approved and the subdividers are authorized to proceed with any required public works elements and preparation of a final plat with the condition that the owner(s) connect to City water and sewer at the time such services are extended along 25<sup>th</sup> Street.

SECTION 5. This approval shall expire one year from this date unless a final plat has been submitted. This approval does not constitute final plat approval or guarantee of approval of the subdivision by the City Council or the Council's authorization to proceed on construction of improvements within the subdivision.

SECTION 6. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Community Development Director Rick Houck gave a brief presentation to Council

regarding the Preliminary Plat.

Motion by Councilman Dickenson, seconded by Councilman Benzel to suspend the statutory rule requiring three separate readings of Ordinance No. 2614.

Roll call vote to waive the statutory reading with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2614 on final reading with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

Mayor Kusek stated, "the passage and adoption of Ordinance No. 2614 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- The next item for Council's review was Ordinance No. 2615 which will vacate a portion of easement in Peterson Addition.

Motion by Councilman Benzel, seconded by Councilwoman Rowley to approve Ordinance No. 2615 on first reading. City Clerk Jines read the ordinance by title which follows in its entirety:

#### **ORDINANCE NO. 2615**

AN ORDINANCE VACATING A PORTION OF AN EASEMENT LOCATED IN PETERSON ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA:

SECTION 1. The City of Alliance has been requested to vacate a portion of an easement located in the Lots 2, 3, 4, and 6, Block 1, Peterson Addition, which easement was originally platted

for use as a utility easement.

SECTION 2. The portion of the easement requested to be abandoned by the City is no longer needed by the City utilities and is not projected to be needed in the future.

SECTION 3. The City of Alliance hereby abandons to the owner of Lots 2, 3, 4, and 6, Block 1, Peterson Addition, Alliance, Box Butte County, Nebraska, the following described real estate, formerly platted as an utility easement:

Commencing at the common lot line of Lots 3 and 4, Block 1, Peterson Addition which lies on the southern Right-of-way line of 25<sup>th</sup> Street; Thence southerly on said common lot line a distance of 47 feet to the Point of Beginning; Thence westerly perpendicular to said common lot line a distance of 10 feet; Thence southerly along a line 10 feet westerly of and parallel to the common lot line of Lots 2, 3, 4, and 6, Block 1, Peterson Addition a distance of 135 feet; Thence easterly on a line perpendicular to the last described line a distance of 20 feet; Thence northerly on a line 10 feet easterly of and parallel to the common lot line of Lots 2, and 6, Block 1, Peterson Addition, a distance of 60 feet; Thence southeasterly on a line 10 feet southwesterly of and parallel to the common lot line of Lots 4, and 6, Block 1, Peterson Addition a distance of 52.5 feet; Thence northerly on a line parallel to the common lot line of Lots 2, 3, 4, and 6, Block 1, Peterson Addition a distance of 22 feet; Thence northwesterly on a line 10 feet northeasterly of and parallel to the common lot line of Lots 4 and 6, Block 1, Peterson Addition a distance of 52.5 feet; Thence northerly on a line 10 feet east of and parallel to the common lot line of Lots 2, 3, 4, and 6, Block 1, Peterson Addition a distance of 53.9 feet; Thence westerly a distance of 10 feet to the Point of Beginning.

SECTION 4. The Mayor is authorized to execute the partial disclaimer and release which has been provided, and City staff is authorized to file the partial disclaimer and release upon its signing with the Box Butte County Clerk.

SECTION 5. This real estate is not used in the operation of public utilities, and is not a State Armory for the use of the state of Nebraska or the State Armory, as provided in 16-201 R.R.S. Neb. 1943.

SECTION 6. The City Clerk shall cause notice of this sale to be published as required by law. If within the time prescribed by law a legally sufficient remonstrance against this conveyance has not been filed, the Mayor and City Clerk are by this ordinance authorized to execute and file the partial disclaimer and release.

SECTION 7. Remonstrance against the conveyance is defined as a petition signed by legal

electors of Alliance, Nebraska, equal in number to 30 percent of the electors voting at the last regular municipal election. Said petition shall be filed with the governing body of the City within 30 days of the passage and publication of this ordinance. In the event a remonstrance is received which is legally sufficient, that said property shall not then, nor within one year thereafter, be conveyed.

SECTION 8. This ordinance shall be in full force and effect after its passage, approval and publication according to law.

Motion by Councilman Dickenson, seconded by Councilman Benzel to suspend the statutory rule requiring three separate readings of Ordinance No. 2615.

Roll call vote to waive the statutory reading with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2615 on final reading with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

Mayor Kusek stated, "the passage and adoption of Ordinance No. 2615 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- The second reading of Ordinance No. 2612 considering a smoke free designation at the Alliance Learning Center was the next item to be presented to Council.

Motion by Mayor Kusek, seconded by Councilman Dickenson to approve Ordinance No. 2612 on second reading. City Clerk Jines read the ordinance by title.

Motion by Councilwoman Rowley, seconded by Councilman Dickenson to amend the title of Ordinance No. 2612 to read "a smoke-free campus, except in a specifically designated smoking area."

Roll call vote on the amendment with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

Motion by Mayor Kusek, seconded by Councilman Yeager to amend Ordinance No. 2612 to include the highlights and strike-outs.

Roll call vote on the amendment with the following results:

Voting Aye: Kusek, Dickenson, Rowley, Yeager.

Voting Nay: Benzel.

Motion carried.

Roll call vote on the second reading of Ordinance No. 2612 as amended with the following results:

Voting Aye: Kusek, Dickenson, Rowley, Yeager.

Voting Nay: Benzel.

Motion carried.

**ORDINANCE NO. 2612**

AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 8, SECTION 1-814 BY PROVIDING THAT THE LIBRARY AND LEARNING CENTER CAMPUS IS A SMOKE-FREE CAMPUS AND PROVIDING PENALTY PROVISIONS FOR SMOKING ON THE LIBRARY AND LEARNING CENTER CAMPUS AND REPEALING EXISTING PROVISIONS OF CITY CODE NOT CONSISTENT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA:

SECTION 1. The City of Alliance owns and operates the City of Alliance Library and Learning Center which is located at 1750 Sweetwater Avenue. The City of Alliance has received

complaints by patrons of the Library and Learning Center Facility of people smoking near the entrances and exits of the library and learning center.

SECTION 2. The Library and Learning Center building has suffered damage as an indirect result of people smoking on the campus of the Library and Learning Center.

SECTION 3. The City of Alliance has decided to declare the Library and Learning Center as a non-smoking campus, except in specifically designated smoking areas.

SECTION 4. The Alliance City Code is hereby amended at Chapter 1, Article 8, to add the following Section 1-814 and Section 1-815.

1-814. NO SMOKING.

It is unlawful for any person to smoke, meaning the lighting of any cigarette, cigar, pipe, or other smoking material or the possession of any lighted cigarette, cigar, pipe or other smoking material, regardless of its composition while upon the campus of the City of Alliance Library and Learning Center which is located at 1750 Sweetwater Avenue, unless in a specifically designated smoking area.

The Campus shall include all of the real estate that is owned by the City of Alliance where the Library and Learning Center is located as is more particularly described as follows:

Lot 1, Block 1, Library-Attendance Center Addition to the City of Alliance, Box Butte County, Nebraska, according to the recorded plat thereof.

1-815. DESIGNATED SMOKING AREAS ESTABLISHED.

The Facility Advisory Board shall establish designated smoking area(s). The designated smoking area as designated or re-designated by the Facility Advisory Board shall be delineated by posting with signs or some other method that clearly defines the boundaries or the area of the authorized smoking area(s).

1-816. VIOLATION.

Any person who shall violate the provisions of 1-814 shall be penalized as provided under Section 12-101 of the City of Alliance Municipal Code.

SECTION 5. This Ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

- Resolution No. 08-55 granting permission to the Alliance Chamber of Commerce for use of City property to conduct Heritage Days activities was the next item to be brought before Council.

Motion by Councilman Yeager, seconded by Councilman Benzel to approve Resolution No. 08-55 which follows in its entirety:

**RESOLUTION NO. 08-55**

*WHEREAS*, The Alliance Chamber of Commerce annually conducts events celebrating “Heritage Days”; and

*WHEREAS*, The Heritage Days Committee of the Alliance Chamber of Commerce has requested street closures and traffic direction restrictions to facilitate Heritage Days events; and

*WHEREAS*, City staff has considered the requests, communicated with Chamber of Commerce staff, and has made recommendations to City Council regarding the requests of the Heritage Days Committee.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the following modifications and restrictions to the use of City streets to facilitate Heritage Days events are hereby approved:

1. Use of City streets for 5k and 10k runs, along the routes shown on the attached map. No closures.
2. Heritage Days Annual Parade - 600 Block of Black Hills Avenue, south to Third Street, east to Mississippi - 9 a.m. July 19, 2008 until completion of parade. Closure of involved streets.
3. Carnival and Vendor area. Box Butte Avenue 300, 400, and 500 Blocks, parking lot at 4<sup>th</sup> and Niobrara. Closure beginning 12:01 a.m. July 15, 2008 for all except the 300 Block of Box Butte, which will close at 3:00 p.m. on July 15, 2008. Closures to extend to undetermined time on Sunday, July 20, 2008.
4. Street use restriction, Fourth Street from Laramie Avenue to Niobrara Avenue. Use restricted to emergency and postal vehicles from 12:00 midnight July 16, 2008 through Saturday, July 19, 2008 at 12:00 midnight. Police escorts are required for postal trucks arriving between 8:30 p.m. and 9:00 p.m.
5. 200 Block of Box Butte Avenue. Closure from Friday, July 18, 2008 at noon until Saturday, July 19<sup>th</sup> at midnight.

6. East half of Block 28, Original Town (West side of Box Butte Avenue between 1<sup>st</sup> and 2<sup>nd</sup> Streets), parking is allowed July 16<sup>th</sup> to 19<sup>th</sup> for Heritage Days events.
7. One-way traffic modifications:
  - Niobrara Avenue: Use is restricted to north bound one-way traffic only between the hours of 3:30 p.m. and 9:00 p.m., on Tuesday, July 15, 2008, between 10<sup>th</sup> and 12<sup>th</sup> Streets.
  - Sweetwater: Use is restricted to south bound one-way traffic only between the hours of 3:30 p.m. and 9:00 p.m., on Tuesday, July 15, 2008, between 10<sup>th</sup> and 14<sup>th</sup> Streets.
  - 12<sup>th</sup> Street - Use is restricted to east bound one-way traffic only between the hours of 3:30 p.m. and 9:00 p.m., on Tuesday, July 15, 2008, between Niobrara and Sweetwater.

*BE IT FURTHER RESOLVED*, The Alliance Chamber of Commerce must provide, at their expense, all traffic control devices and personnel to enforce the one-way travel. The requirements for control and personnel shall be established by the City Street Department. The City Manager shall have the authority to revoke permission for the one-way traffic if insufficient resources exist to safely enforce the restriction.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The next item for Council's discussion was Resolution No. 08-52 approving the Manager Application of Rebecca Wagner for Fresh Start Convenience Stores, Inc. in Alliance.

Motion by Councilwoman Rowley, seconded by Councilman Dickenson to approve Resolution No. 08-52 which follows in its entirety:

### **RESOLUTION NO. 08-52**

*WHEREAS*, The City of Alliance has received a notice and copy of a manager application for Fresh Start Convenience Stores, Inc., 610 East 3<sup>rd</sup> Street, submitted by Rebecca Wagner; and

*WHEREAS*, City staff has reviewed the application and finds no reason why the proposed

manager, Rebecca Wagner, would be disqualified from serving as manager; and

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and Council of the City of Alliance, Nebraska, that the manager's application of Rebecca Wagner for Fresh Start-Alliance, located at 610 East 3<sup>rd</sup> Street is hereby approved.

*BE IT FURTHER RESOLVED*, that the City Clerk shall notify the Nebraska Liquor Control Commission of this Council decision.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The next item to be presented to Council was Resolution No. 08-53 awarding the Test and Observation Well for the Water System Improvements to Nelson Wells, Inc. of Alliance, NE in the amount of \$164,771.00.

Motion by Councilman Dickenson, seconded by Councilman Benzel to approve Resolution No. 08-53 which follows in its entirety:

**RESOLUTION NO. 08-53**

*WHEREAS*, The City of Alliance has authorized competitive quotes to obtain bids for Test and Observation Well for the Water System Improvements pursuant to bid number 4610-08-08 and

*WHEREAS*, Three (3) Invitations were issued, and three (3) responses were received; and

*WHEREAS*, The bid of Nelson Wells, Inc., a Nebraska Corporation, of Alliance, Nebraska appears to be the lowest, responsive, and responsible bid; and

*WHEREAS*, Olsson and Associates has recommended that the City include the alternate bid that was requested and request a change order under the bid unit price for a total in the amount of \$164,771.00.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, the contract for bid number 4610-08-08 is hereby awarded to Nelson Wells, Inc., of Alliance, Nebraska in an amount of \$164,771.00, which includes the Base Bid, the Alternate Bid

and adding Laramie and Agate site and converting the Elkhorn test drilling to an observation well, at the unit prices quoted in the bid.

*BE IT FURTHER RESOLVED*, that City staff shall notify the successful bidder so that work can proceed according to the bid specifications.

Gary Gerhart, Olsson and Associates representative addressed Council and distributed a map indicating the location of the proposed sites.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- Resolution No. 08-54 adopting the Capital Improvement and Capital Equipment Plans for Fiscal Year 2008-2009 was the next item on Council's agenda.

Motion by Councilman Benzel, seconded by Councilman Yeager to approve Resolution No. 08-54 which follows in its entirety:

#### **RESOLUTION NO. 08-54**

*WHEREAS*, The City of Alliance staff has completed a process of working with various City Departments, the Planning Commission, and City Council, to compose a Capital Improvements/Capital Equipment Plan for the upcoming fiscal year, 2008-2009; and

*WHEREAS*, The City Council has received the recommendation of the Alliance Planning Commission with regard to the current proposed Capital Improvements/Capital Equipment Plan; and

*WHEREAS*, The City staff will use the Capital Improvements/Capital Equipment Plan in the preparation of the annual appropriations bill or the City budget each year.

*NOW THEREFORE BE IT RESOLVED*, by the Mayor and Council of the City of Alliance, Nebraska, that the proposed Capital Improvements/Capital Equipment Plan, which is currently before the City Council and which has been approved and recommended by the Planning Commission, is hereby adopted as the Capital Improvements/Capital Equipment Plan for the City of Alliance, Nebraska, for the 2008-2009 fiscal year.

City Manager Caskie advised Council that changes needed to be made in both the MIS section and the Warehouse section.

Motion by Mayor Kusek, seconded by Councilman Dickenson to amend the Capital Improvements/Capital Equipment Plan by reducing the personal computer in 2009 in MIS from \$21,000 to \$12,000 and the forklift in Warehouse from \$25,000 to \$15,000 as well as moving it from 2010 to 2009.

Roll call vote on the amendment with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

Mayor Kusek asked what the Federal Government's portion is of the \$705,000 seal coat project at the airport in 2009. City Manager Caskie advised him that their share is 95% and the state will pay 2% which will leave \$21,000 as the City's portion.

Mayor Kusek inquired about the purchase of a generator for the airport. City Manager Caskie advised him that the purchase will likely be removed during the budget process.

City Manager Caskie told Council that research was being done to possibly replace the Meter Reader utility vehicle with a hybrid to test the efficiency.

Mayor Kusek asked if there were matching grants for the defibrulators for the Fire Department. Councilwoman Rowley explained that the hospital just purchased the same type of equipment which will make them interchangeable. City Manager Caskie explained that the City is attempting to piggyback a purchase with the hospital to reduce the cost of replacing the City's equipment which is becoming obsolete and expensive to operate. Mayor Kusek requested that a letter be drafted to the Burlington Northern Santa Fe Railroad asking if they would consider splitting the cost with us again this year through a matching grant.

City Manager Caskie advised Council that a microfilm reader/printer for the Alliance Public Library will only be purchased if it is grant funded.

Councilwoman Rowley asked if the City had paid for the shelving for the museum. City Manager Caskie explained that the City proposed to pay for the shelving over a period of five years.

Councilman Benzel asked if the allotment for the substation maintenance has been used.

City Manager Caskie advised Council that it is the process of being spent.

Councilwoman Rowley inquired as to the frequency of the resurfacing of the tennis courts. City Manager Caskie replied that they had been resurfaced approximately five years ago. Discussion has taken place regarding the use of a tennis court company rather than street pavers for the resurfacing project.

Mayor Kusek asked about the records software for the Police Department. City Manager Caskie advised Council that she will continue to ask for E911 funding for the software.

Councilman Benzel questioned the absence of a new baler at the landfill in the 2009 budget. City Manager Caskie explained that the budget is not adequate to support the purchase. Mayor Kusek asked City Manager Caskie to investigate the possibility of including the baler in a mixed revenue bond issue.

Mayor Kusek questioned the increase in the price of the Sweetwater Avenue project. City Manager Caskie advised Council that she feels the need to purchase property for right-of-way to allow for adequate drainage. The price reflects the total cost of the project for chip seal and drainage and does not include curb and gutter.

Roll call vote on Resolution No. 08-54 as amended with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The last item on Council's agenda was the Second Quarter Financial Report presented by Finance Director Leah King.

Motion by Mayor Kusek, seconded by Councilman Dickenson to accept the Second Quarter Financial Report as presented by Finance Director Leah King.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- Mayor Kusek stated, “there being no further business to come before the Alliance City Council, the meeting is adjourned at 8:15 p.m.”

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Dan Kusek, Mayor

(SEAL)

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Linda S. Jines, City Clerk